

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

REGINALD SMITH

Plaintiff,

- vs -

SHERIFF OF COOK COUNTY
and COOK COUNTY,
Defendants.

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No. 07 C 6166

Judge John W. Darrah

**DEFENDANTS' MOTION TO ENLARGE THE TIME PERIOD IN WHICH
TO MOVE, ANSWER OR OTHERWISE PLEAD**

Defendants, the SHERIFF OF COOK COUNTY and the COUNTY OF COOK, through their attorney, RICHARD A. DEVINE, State's Attorney of Cook County, by his Assistant State's Attorney, Daniel J. Fahlgren, pursuant to Federal Rule of Civil Procedure 6(b)(1), move this Honorable Court to enlarge the time period in which to answer or otherwise plead until December 20, 2007, and to vacate any and all defaults that may have been entered. In support, defendants state:

1. The above referenced defendants were served with the Amended Complaint on November 1, 2007.
2. The defendants subsequently requested representation from the Cook County State's Attorney's Office, and the undersigned attorney was assigned to represent the defendants in this matter on November 19, 2007.
3. The complaint includes alleges that Plaintiff was denied medication after he were booked into the Cook County Jail in November 2005. In order to answer the averments in the Complaint, it will be

necessary to review the Jail records and Medical records of Plaintiff.

4. The undersigned immediately ordered all Cook County Department of Corrections records and medical records that may be germane to all four Plaintiff's claims. These are expected to take approximately 30 days to assemble.

5. Once the undersigned attorney is in receipt of all relevant jail records regarding the Plaintiffs, he will have to determine whether an answer or dispositive motion should be filed on behalf of the defendants. If an answer is to be filed, the undersigned must meet with all served defendants to prepare their answers and determine whether any conflict in representation exists.

6. The undersigned attorney is not being dilatory in bringing this motion, and apologizes to counsel for the plaintiffs and this Honorable Court for any inconvenience that this delay may cause.

WHEREFORE, the defendants respectfully requests that this Honorable Court grant it an enlargement of time until December 20, 2007 to move, answer or otherwise plead in this matter, and to vacate any defaults, technical or otherwise that may have been entered.

Respectfully submitted,

RICHARD A. DEVINE
State's Attorney of Cook County

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